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Security Council Committee established pursuant to resolution 1267 (1999)

Letter dated 18 April 2002 from the Permanent Representative of Yugoslavia to the United Nations addressed to the Chairman of the Committee

I have the honour to enclose herewith the report of the Federal Republic of Yugoslavia to the Security Council Committee established pursuant to resolution 1267 (1999) (see annex). I should be grateful if you would have the text of this letter and the enclosed report circulated as a document of the Security Council.

(*Signed*) Dejan Šahović
Ambassador
Permanent Representative

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Annex to the letter dated 18 April 2002 from the Permanent Representative of Yugoslavia to the United Nations addressed to the Chairman of the Committee

Reply of the Federal Republic of Yugoslavia to the Security Council Committee established pursuant to Security Council resolution 1267 (1999) on the implementation of Security Council resolution 1390 (2002)

The Federal Republic of Yugoslavia has repeatedly expressed its full commitment to the struggle against terrorism and undertook a series of measures and activities in that field and continues to do so. As a member State of the United Nations, the FR of Yugoslavia fully respects all decisions taken by the United Nations in the fight against international terrorism and fulfils all obligations arising therefrom. In that framework, the FR of Yugoslavia has undertaken the activities towards respecting and fulfilling the provisions of UN SC resolution 1390 (2002) as well as of other UN SC resolutions.

In line with the request contained in resolution 1390 (2002) of 16 January 2002, the Government of the Federal Republic of Yugoslavia submits the following reply.

Operative para 2 (a) *Obligation of States to freeze the funds and other financial assets or economic resources of Al-Qaida, Taliban and other individuals, groups, undertakings and entities connected with them and to ensure that those are not made available, directly or indirectly, for such persons' benefit by their nationals or by any persons within their territory.*

The authorities of the Federal Republic of Yugoslavia tightened financial control in accordance with the requests contained in UN SC resolutions 1267 (1999), 1333 (2000), 1373 (2001) and 1390 (2002). The examination of the records related to the accounts of foreign nationals held in Yugoslav banks has revealed that no account belongs to persons or institutions from the list of members of terrorist organizations prepared in line with UN SC resolutions 1267 (1999), 1333 (2000) and 1373 (2001), i.e. those listed in para 2 (a) of resolution 1390 (2002).

According to the information of the Ministry of the Interior, the cases of organized financial crime uncovered so far in the territory of the FR of Yugoslavia do not suggest any link with individuals and organizations connected to the Al-Qaida financial network, or persons and organizations supporting it.

Operative para 2 (b) *Obligation of States to prevent the entry into or the transit through their territories of the individuals referred to in the resolution.*

The competent authorities of the FR of Yugoslavia are taking appropriate measures to prevent the entry and transit of terrorists through its territory. It should be recalled that the competent State authorities in charge of ensuring border control are not in a position to control, under UN SC resolution 1244 (1999), a portion of the State border (295km) in the territory of Kosovo and Metohija towards the Republic of Macedonia and the Republic of Albania which is under KFOR control. In line with security assessments for the FR of Yugoslavia and its parts, the border units of the Army of Yugoslavia have upgraded over a protracted period of time the regular regime to a heightened state of control of the State border.

The competent security authorities of the Republic of Serbia are on a heightened state of alert and have taken a series of concrete measures that are still in effect, with a view to detecting terrorist groups and organizations and preventing the commission of terrorist acts in the territory of the Republic of Serbia and the FR of Yugoslavia, including:

- round-the-clock and full security arrangements for diplomatic-consular, business and cultural facilities of foreign countries, as well as for business and other resident offices of the countries conducting business and other forms of cooperation with these countries;
- heightened protection of all vital economic, utility and other important facilities, as well as stricter control of important facilities (airports, ports, railway and bus terminals, public transport, transport of goods, control of passengers and luggage, etc);
- heightened control of the movement and stay of foreigners at border crossings and in the country including internally displaced persons with refugee status;
- measures taken on a regular basis to control all public roads and all major public facilities as well as persons considered as potential perpetrators of terrorist attacks.

In order to carry out stricter control of the border, the organization of work at border crossings has been improved to enable efficient passport control, as well as passenger and luggage checks.

Due to its geographical location, the territory of the FR of Yugoslavia is often used as a transit route by illegal immigrants to West European countries. In 2000 and 2001, there were several thousand attempts by foreign nationals to illegally cross the State border. Demographic breakdown of illegal attempts has been consistent over the past few years, except that as a consequence of the war in Afghanistan there is an increase in illegal attempts of nationals from central Asian countries. Tighter measures have been undertaken to prevent and detect persons currently in refugee camps in neighbouring countries, intending to use the territory of the FR of Yugoslavia to illegally infiltrate West European Countries.

In 2001, many channels for illegal infiltration of people were cut and dozens of criminal charges were brought against those persons who committed a criminal act of illegal crossing of the State border, from Article 249 of the Criminal Law of the FR of Yugoslavia.

As a consequence of tightened entry control measures, in 2001 scores of various foreign nationals who did not fulfil entry conditions or against whom there existed reasonable doubt that, despite formal conditions, they did not fulfil the entry conditions, were turned back from border crossings for failing to fulfil the relevant entry criteria or who were considered that despite formal conditions do not fulfil the security requirements to enter the country.

The FR of Yugoslavia and its relevant authorities are ready to join the international activities in the fight against terrorism and extend all necessary assistance in order to root out this scourge of our time. To that end, the relevant UN bodies and commissions and other international organizations may be provided, if necessary, the data and relevant information in connection with the measures that have been taken and the results achieved in the fight against terrorism. The exchange of information in

this area is conducted on a regular basis at bilateral level among the countries in the region, as well as with the relevant international bodies and organizations. At meetings of police authorities of the neighbouring, European and other countries, the issue of mutual cooperation in the fight against international terrorism is regularly raised and the need to exchange information and discuss joint activities in this field is emphasized.

Operative para 2 (c) *Obligation of States to prevent the direct or indirect supply, sale and transfer of weapons, equipment, use of vessels or aircraft, technical or any other assistance or training to persons referred to in the resolution.*

All activities in the FR of Yugoslavia in the military field are carried out strictly in line with the laws regulating production and trade in materiel, weapons and military equipment and they are subject to control by competent institutions. Export licenses for weapons and military equipment are approved by careful review of applications in terms of potential terrorism. In addition, measures are taken to prevent purchase, direct or indirect, sales or transfer of weapons and military equipment to persons, organizations or institutions listed in para 2 of Resolution 1390 (2002), as well as all those for whom there is information or indication to be involved in terrorism or assisting it in any way.

In view of the measures undertaken by the competent authorities of the FR of Yugoslavia in the fight against terrorism, there is no possibility whatsoever that persons referred to in the resolution receive training in the territory of the FR of Yugoslavia.

Operative para 4 *Obligation of States to implement in full resolution 1373 (2001) including with regard to any member of the Taliban and the Al-Qaida organization.*

The FR of Yugoslavia has been consistently engaged in countering international terrorism and fulfilling its obligations arising from UN SC resolutions, and intends to do so in the future. To that end, it has already undertaken a series of measures at the national level and, in particular, tightened control in the financial field. In addition, the FR of Yugoslavia will urgently accede to a number of important international conventions relevant to the fight against international terrorism and ratify some of those which it was not in a position to accept earlier.

See the reply of the FR of Yugoslavia to UN SC resolution 1373 (S/2001/1328) of 31 December 2001.

Operative para 8 *Obligation of States to take immediate steps to enforce and strengthen through legislative enactments or administrative measures, where appropriate, the measures imposed under domestic laws or regulations against their nationals and other individuals or entities operating on their territory, to prevent and punish violations of the measures referred to in paragraph 2 of resolution 1390 (2002).*

See the reply of the FR of Yugoslavia to UN SC resolution 1373 (S/2001/1328) of 31 December 2001, operative para 1 (d), operative para 2 (a) and 2 (e).

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The FR of Yugoslavia expresses its full support once again to the fight against international terrorism, regardless of where it comes from. Terrorism which threatens the basic human right to life became a global phenomenon and therefore requires a

global response. This evil should be stopped everywhere and anywhere, without exception, ensuring a consistent application of the same standards.

As a victim of terrorism itself, the FR of Yugoslavia is aware that overwhelming efforts should be made to achieve this goal but that it is necessary to take all measures and steps to achieve it, since terrorism brought no one any good.

If the competent authorities of the FR of Yugoslavia are to address the tasks in the fight against international terrorism successfully, it is necessary to equip the units engaged in the system of ensuring the State border with adequate technical equipment and to adjust the control of the State border to the standards and requirements of the European Union. For that reason, the FR of Yugoslavia would highly appreciate the relevant international assistance in this field.